UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,978	05/25/2001	Masood Mortazavi	188515/US	6345

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EXAMINER
CHANKONG, DOHM

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

_____

Ex parte: MASOOD MORTAZAVI, VLADIMIR MATENA,
SANJEEV KRISHNAN and RAHUL SHARMA

_____

Application No. 09/865,978
Technology Center 2400

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Mailed: February 24, 2009

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Before TOI JOHNSON *Review Paralegal*

JOHNSON, *Review Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent

Appeals and Interferences on September 29, 2008. A review of the

application revealed that it is not ready for docketing as an appeal.

Application No. 09/865,978

Accordingly, the application is herewith being returned to the Examiner to

address the following matter(s) requiring attention prior to docketing.

<u>APPEAL BRIEF, CLAIMS APPENDIX</u>

A review of the Appeal Brief filed November 19, 2007, reveals that

claim 1 in the Claims appendix of the Appeal Brief is not consistent as

amended in the last entered amendment filed on September 15, 2006.

Specifically, claim 1 (Page i, Lines 4-6), as provided in the Brief's

Claims Appendix, reads:

> "... receiving at an asynchronous proxy an asynchronous request from
> a first object-oriented component residing at a second server wherein
> the request has a void return type and is not associated with
> application-specific exceptions;... " .

However, in the last entered Amendment dated September 15, 2006,

claim 1 (Page 2, Lines 4-7), reads:

> "...receiving at an asynchronous proxy an asynchronous request from
> a first object-oriented component residing at a first server to invoke a
> second object-oriented component residing at a second server wherein
> the request has a void return type and is not associated with
> application-specific exceptions;... ".

Appropriate correction of all claims provided in the Claims Appendix

in proper format is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

1) hold the Appeal Brief filed November 19, 2007, defective, as required by 37 CFR § 41.37(d);

2) notify the Appellant to submit a "paper" which corrects the Appeal Brief's Claims Appendix under 37 CFR §41.37(c)(1)(xiii);

3) acknowledge and consider any "paper" submitted by Appellant to correct the Appeal Brief; and

4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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